## IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA	) 8:09CR437
Plaintiff,	) 0.09CN437 )
vs.	) DETENTION ORDER
LEONARDO FIERRO-MARTOS,	
Defendant.	<b>,</b>
A. Order For Detention  After conducting a detention hearing pursual Act on December 18, 2009, the Court ord pursuant to 18 U.S.C. § 3142(e) and (i).	
conditions will reasonably assure the X By clear and convincing evidence that	
felony and deported fro District of Nebraska aff without the consent of t violation of 8 U.S.C. § imprisonment under 8 U  (b) The offense is a crime of (c) The offense involves a n (d) The offense involves a la (2) The weight of the evidence aga X (3) The history and characteristics (a) General Factors: The defendant a	es Report, and includes the following: ne offense charged: viously been convicted of an aggravated of the United States, being found in the ter having re-entered the United States the Attorney General or his successor in § 1326(a) and subject to twenty years .S.C. § 1326(b). If violence. In arcotic drug. In arge amount of controlled substances, to wit: In an of the defendant is high. In of the defendant including: In appears to have a mental condition which In the defendant will appear. In as no steady employment. In as no substantial financial resources. Is not a long time resident of the community. In a of the defendant: In a sa history relating to drug abuse. In a sa history relating to drug abuse. In a sa history relating to alcohol abuse. In a sa a significant prior criminal record. In a sa prior record of failure to appear at

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(b)	At the time of the current arrest, the defendant was on:	
( ,	Probation Parole Release pending trial, sentence, appeal or completion or sentence.	
(c)	Other Factors:	
,	X The defendant is an illegal alien and is subject to deportation.	
	The defendant is a legal alien and will be subject to deportation if convicted.	
	_X The Bureau of Immigration and Custom Enforcement (BICE) has placed a detainer with the U.S. Marshal.	
	Other:	

X (4) The nature and seriousness of the danger posed by the defendant's release are as follows: The nature of the defendant's criminal history.

## D. Additional Directives

Pursuant to 18 U.S.C. § 3142(i)(2)-(4), the Court directs that:

- The defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable from persons awaiting or serving sentences or being held in custody pending appeal; and
- 2. The defendant be afforded reasonable opportunity for private consultation with counsel; and
- 3. That, on order of a court of the United States, or on request of an attorney for the government, the person in charge of the corrections facility in which the defendant is confined deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED: December 18, 2009. BY THE COURT:

s/Thomas D. Thalken United States Magistrate Judge